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Labor & Employee Relations Management Guidance Bulletin

Topic: ADR/Grievance Prep - Bargaining Unit Employee Release from Work

Relevant Contract Language

Article/Section 10.10 of the 2012-2015 collective bargaining agreement (CBA) with MCGEO provides:

Bargaining unit employees shall be released from work for a maximum of three (3) hours to prepare for a grievance filed under this Article. Release from work for the preparation of a grievance shall be subject to the approval of the employee's supervisor. Such a request shall not be unreasonably denied.

(Note: this language is from the new 2012-2015 CBA. The language has been slightly, but not substantively, changed from the current CBA (Article 10.9)).

Applicability of Prep Time

This language is intended to include preparation for the Alternative Dispute Resolution (ADR) Process, as well as grievance activities. Although ADR occurs prior to the actual filing of a grievance, it is part of the overall dispute resolution process and the 3-hour preparation clause applies to ADR, as well. Nevertheless, if the 3-hour preparation time has been utilized for the ADR process, then no additional preparation time would be available to prepare for any related grievance. Preparation time is administrative leave.

(Management Guidance Bulletins represent OHR's interpretation of collective bargaining agreement language. They do not necessarily represent labor-management agreement and are intended to provide guidance to those who administer the contracts.)